REMARKS

In the Office Action (OA) mailed April 22, 2005, the Examiner (1) rejected claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39, and 41-48 under 35 U.S.C. § 112; and (2) rejected claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39, and 41-48 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,606,708 to Devine et al. (Devine).

In this Amendment, Applicants propose amending claims 1, 16, 18, 29, 33, and 35. Currently claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39, and 41-48 are pending.

Applicants appreciate the Examiner considering the references in the Information Disclosures Statements (IDSs). Applicants, however, did not receive a copy of the forms PTO/SB/08 attached to the IDSs filed on April 8 and 14, 2005. Applicants respectfully request that the Examiner consider the references on the forms PTO/SB/08 filed April 8 and 14, 2005. For the convenience of the Examiner, Applicants include a copy of these IDSs, including the forms PTO/SB/08, and a copy of the post cards indicating receipt in the Patent Office. If the Examiner is missing copies of any of the references submitted by the Applicants in this case, please notify the undersigned so that arrangements can be made to provide additional copies of any references to the Examiner for review.

Applicants respectfully disagree with the Examiner's position that any of the claims as amended in the Amendment filed December 22, 2004, contain new subject matter. The claims as amended December 22, 2004, are supported in the specification at least at pages 8-12. Nonetheless, Applicants propose amending independent claims 1, 16, 18, 29, 33, and 35 to more clearly define the invention. Applicants note that all of the elements of proposed amended claims 1, 16, 18, 29, 33, and 35 were either earlier

claimed or inherent in the claims as examined. Therefore, this Amendment should

allow for immediate action by the Examiner.

Proposed amended claim 1 recites a combination of elements including, among

other things:

> sending a request from the first node to an administrative
> machine to verify a first node identification associated with the first
> process;
> in response to the request, receiving security context
> information at the first node from the administrative machine, the
> security context information comprising a virtual address for the first
> node; . . .
> transmitting a packet from the first process to the second
> process through the open socket without passing through the
> administrative machine . . . .

Devine discloses a secure server architecture for web based data management

including client sessions. See Abstract and col. 20, lines 53-63. Devine also discloses

security protocols that enable a remote user to interact with servers or an "enterprise

Extranet" see col. 2, lines 56-60, while, in one embodiment, implementing virtual IP

addresses, see col. 23, lines 61-64. The Examiner appears to contend that RTM Web

Server 52 in Devine corresponds to the "administrative machine," of claim 1. See Office

Action at 17, line 5-6 (citing col. 6, lines 6-7 and col. 24, lines 35-36 of Devine). If this is

the case, the Examiner does not show where Devine discloses "receiving security

context information . . . from the administrative machine, the security context information

comprising a virtual address for the first node," as recited in claim 1. If this is not the

case, then it is not clear – and the Examiner does not show – where Devine discloses

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"an administrative machine," as recited in claim 1, much less "receiving security context information . . . from the administrative machine," as recited in claim 1.

In order to anticipate a claim under § 102, a reference must disclose each element of the claim. Because the Examiner has not shown that Devine discloses each element of claim 1, Devine cannot anticipate claim 1. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1 under § 102(e).

Although claims 16, 18, 29, 33, and 35 are of different scope than claim 1 and each other, they each contain some similar terminology. For example, claim 16 recites a combination of elements including, among other things, "obtaining a node identification comprising a virtual address from an administrative machine; . . . receiving the datagram at the second process that contains the node identification and a second virtual address, without the datagram passing through the administrative machine." Also, claim 18 recites a combination of elements including, among other things, "receiving security context information, in response to the request, at the first node from the administrative machine, the security context information comprising a virtual address for the first node . . . transmitting a packet from the first process to the second process through the open socket without passing through the administrative machine." Further, claim 29 recites a combination of elements including, among other things, "an administrative machine; and a transmission module that . . . receives security context information from the administrative machine server in response to the request, wherein the security context information comprises a virtual address for the sending node; . . . the transmission module transmits a packet from the process to a receiving node

without passing through the administrative machine." Further, claim 33 recites a combination of elements including, among other things, "obtaining a node identification comprising a virtual address from an administrative machine a server associated with a private network . . . receiving the datagram . . . without the datagram passing through the administrative machine." Finally, claim 35 recites a combination of elements including, among other things, "a receiving module for receiving security context information, . . . the security context information comprising a virtual address for the first node; a transmitting module for transmitting a packet . . . without passing through the administrative machine." Therefore, Devine also does not anticipate claims 16, 18, 29, 33, or 35 for at least the same reasons it does not anticipate claim 1. Thus, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 16, 18, 29, 33, and 35 under § 102(e).

Claims 2, 3, 5, 7-11, 13-15, 17, 19, 20, 22, 24-31, 34, 36, 37, 39, and 41-48 all depend on one of independent claims 1, 16, 18, 33, or 35, and include all the limitations of their respective base claims. Thus, dependent claims 2, 3, 5-12, 17, 19, 20, 22-28, 30-32, 34, 36, 37, and 39-45 are allowable over Devine for at least the same reasons stated above in connection with the respective independent claims. Thus, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 2, 3, 5, 7-11, 13-15, 17, 19, 20, 22, 24-31, 34, 36, 37, 39, under § 102(e).

The Office Action dated April 22, 2004, contains certain characterizations of the invention, the application claims, and the prior art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization made in the Office Action.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39, and 41-48 in condition for allowance. Applicants submit that the proposed amendments of claims 1, 16, 18, 29, 33, and 35 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicant's invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 18, 2005   By: _Kenneth M. Lesch_
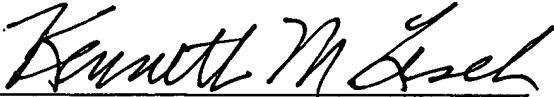
Kenneth M. Lesch
Reg. No. 44,868

Attachments: Copies of the Information Disclosure Statements filed April 8 and 14, 2005, including forms PTO/SB/08 and copies of stamped return post cards.